

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACTION

RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND
NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION CODE AT 17
N.N.C. § 2105, SEX OFFENDER REGISTRATION AND NOTIFICATION ACT

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Navajo Nation established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such empowered LOC to review and make recommendations to the Navajo Nation Council on proposed Navajo Nation Code amendments and enactments. 2 N.N.C. §§ 164 (A) (9), 600 (A), 601 (B) (14) (2015); CO-45-12.
- B. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A) (9), 700 (A) (2015); CO-45-12.
- C. The Navajo Nation Council must review and approve enactments or amendments of positive law. 2 N.N.C. § 164 (A) (2015); CO-45-12.

SECTION TWO. FINDINGS

- A. Diné Traditional Law declares and teaches that the Legislative Branch leaders shall enact policies and laws to address the immediate and future needs of the Navajo Nation. 1 N.N.C. § 203(C) (2009).
- B. Diné Customary law declares and teaches that it is the right and freedom of the people that every child and every leader be respected, honored, and protected with a healthy physical and mental environment, free from all abuse. 1 N.N.C. § 204(E) (2009).

C. The Navajo Nation finds the following Navajo Nation Code amendments to 17 N.N.C. § 210, the Sex Offender Registration and Notification Act is in the best interest of the Navajo Nation.

SECTION THREE. AMENDING NAVAJO NATION CODE TITLE 17

The Navajo Nation amends the Navajo Nation Code, Title 17 as follows:

TITLE 17. LAW AND ORDER

CHAPTER 5. PROCEDURES

SUBCHAPTER 10. SEX OFFENDER REGISTRATION AND NOTIFICATION

§ 2105. Sex offenses by Tiers 1, 2, and 3

C. Tier 3 sex offenses

Any sex offense for which registration is required and is classified as Tier 3 by Title 1 guidelines ~~convicting jurisdiction~~ shall, for purposes of this Act, be classified as a Tier 3 sex offense by the Navajo Police Department. Non-Navajo tier 3 sex offenders shall be banned from Navajo Indian Country.

SECTION FOUR. CODIFICATION

The provisions of the Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

SECTION FIVE. SAVINGS CLAUSE

Should any provision of this Act be determined invalid by the Navajo Nation Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.

SECTION SIX. EFFECTIVE DATE

The Navajo Nation Code amendment enacted herein shall be effective pursuant to 2 N.N.C. § 221 (B).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 18 in favor and 0 opposed, this 20th day of July 2016.




LoRenzo Bates, Speaker
Navajo Nation Council

July 28 2016
Date

Motion: Honorable Alton Joe Shepherd
Second: Honorable Jonathan L. Hale

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this 30th day of August 2016.



Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2016 for the reason(s) expressed in the attached letter to the Speaker.

Russell Begaye, President
Navajo Nation

NAVAJO NATION

RCS# 527

Summer Session

7/20/2016

01:53:26 PM

Amd# to Amd#

Legislation No. 0211-16

PASSED

MOT Shepherd

Amending the NN Code at 17

SEC Hale

SORNA

Yea : 18

Nay : 0

Not Voting : 4

Yea : 18

Begay, K

Damon

Pete

Tso

BeGaye, N

Daniels

Shepherd

Tsosie

Bennett

Filfred

Slim

Witherspoon

Chee

Hale

Smith

Yazzie

Crotty

Perry

Nay : 0

Not Voting : 4

Bates

Brown

Jack

Phelps

Begay, NM